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| 09/819,757 | 03/29/2001 | Kazumasa Yoshikawa | 35.C15231 | 2681 |

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EXAMINER

NGUYEN, LUONG TRUNG

| | |
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| ART UNIT | PAPER NUMBER |
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2622

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,757

Applicant(s)

YOSHIKAWA ET AL.

Examiner

LUONG T. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) 7,8,11 and 18-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,9,10,12-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Species I represented by Figures 1-13 in the reply filed on 1/14/2005 is acknowledged.

2. Claims 18-37 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Species, there being no allowable generic or linking claim.

In addition claims 7-8, 11 are withdrawn from consideration by the Examiner.

Response to Arguments

3. Applicant's arguments, see Amendment, filed 4/3/06, with respect to the rejection(s) of claim(s) 1-6,9,10,12-17 under 35 U.S.C. 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Kaneda (US 6,002,885) further in view of Parker et al. (US 5,572,317).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6, 9-10, 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaneda (US6,002,885) in view of Parker et al. (US 5,572,317).

Regarding claim 17, Kaneda discloses a camera system (video camera, figures 1, 3) having a camera on which an optical device (4 lens unit, figure 1, column 1, lines 28-59) is mounted, comprising:

an optical member (4 lens unit, 111, 112, 113, 114, figures 1, 3, column 1, lines 28-59);
memory means (combination of direction data memory 158, velocity data memory 159, and boundary data memory, figure 3, column 2, lines 35-41) for storing preset velocity information about driving of said optical member;

driving means for driving said optical member (element 137, 162, 145, 161, figure 3, column 2, lines 14-60);

operation means (zoom operation circuit 156 and zoom switch 157, figure 3, column 2, lines 33-41) having an operation member (zoom switch 157, figure 3).

control means (CPU 154, figure 3, column 2, line 14 to column 3, line 48) for performing drive control of said driving means, wherein said control means performs preset drive control of said driving means on the basis of the preset velocity information stored in said memory means.

Kaneda fails to specifically disclose storage designation operation means operated to store the preset velocity information in said memory means; wherein the preset velocity information stored in said memory means corresponds to the driving velocity of said optical member when said storage designation operation means is operated, and said control means changes the preset velocity information in accordance with an operation of said operation member. However, Parker et al. teaches a base unit system 11 for the control of the field of view

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of a camera (figure 4), when operator presses SET buttons 74 and 78, it causes the memory circuits of controller to store the preset speed information (corresponding to storage designation operation means, column 8, lines 20-28); Parker et al. also discloses that the camera system 15 is driven to a particular position with a speed corresponding to the speed stored in the memory control circuits of controller 26 (corresponding the preset velocity information stored in said memory means corresponds to the driving velocity of said optical member when said storage designation operation means is operated, column 8, lines 65-67, column 9, lines 1-50). In addition, Parker et al. discloses that the speed of movement of the base unit 11 is adjustable (corresponding to control means changes the preset velocity information in accordance with an operation of said operation member, column 9, lines 23-29). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Kaneda by the teaching of Parker et al. in order to obtain a device, which provides that the speeds between individual presets could be variable independently (column 9, lines 48-50).

Regarding claim 1, all the limitations of claim 16 are contained in claim 17. Therefore, see Examiner's comments regarding claim 17.

Regarding claim 16, all the limitations of claim 16 are contained in claim 17. Therefore, see Examiner's comments regarding claim 17.

Regarding claim 2, Kaneda discloses the control means sets a change amount of the preset velocity information in accordance with an operation amount of said operation member of said operation means (Figures 2-3, column 2, line 33 to column 25).

Regarding claim 3, Kaneda discloses the control means sets a change amount of the preset velocity information in accordance with an operation amount of said operation member of said operation means and a driving velocity of said optical member in operating said operation member (Figures 2-3, column 2, line 33 to column 25).

Regarding claim 4, Kaneda discloses wherein every time said operation member of said operation means is operated, said control means sets a change amount of the preset velocity information in accordance with a driving velocity of said optical adjust means in the operation regardless of an operation amount (Figures 2-3, column 2, line 33 to column 25).

Regarding claims 5, 6, Kaneda discloses wherein said memory stores preset direction information (direction memory data 158, figure 3, column 2, lines 33-41),

said driving means drives said optical member in two directions (figures 1, 3 show that varieter lens 112 and focus lens 114 can move in two direction, one direction is to the right and one direction is to the left),

said operation member has two operation directions corresponding to the two driving directions of said optical member (zoom switch 157 has two operation directions, one operation is

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to the telephoto end T, one operation is to the wide-angle end W, figure 3, column 2, lines 35-40),

said control means performs the preset drive control of said driving means to drive said optical member on the basis of the preset velocity information and the preset direction information (figure 3, column 2, line 33 to column 4, line 63),

said control means changes the preset velocity information to a high-velocity side when operation member is operated in one of the two operation directions, and to a low-velocity side when said operation member is operated in the other direction of the two operation directions (figure 3, column 2, line 33 to column 4, line 63, and note that when zoom switch is operated in the direction of telephoto end, the velocity is changed to a higher velocity, and when zoom switch is operated in the direction of wide-angle end, the velocity is changed to a slower velocity).

Regarding claim 9, Kaneda discloses said control means stores and holds, in said memory preset velocity information at an end of the preset drive control, and sets the preset velocity information as preset velocity information at a start of next preset drive control (column 2, line 14 to column 3, line 63).

Regarding claim 10, all the limitations are contained in claims 5 and 9. Therefore, see Examiner's comments regarding claims 5 and 9.

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Regarding claim 12, Kaneda discloses a zoom lens optical system (varieter lens unit 112, figures 1, 3, column 1, lines 30-35).

Regarding claim 13, Kaneda discloses said operation means generates command information for driving said optical member in accordance with the operation of said operation member (figure 3, column 2, line 14 to column 3, line 63), when said control means does not performs the preset drive control, said control means performs drive control of said driving means to drive said optical member on the basis of the command information from said operation means (figure 3, column 2, line 14 to column 3, line 63).

Regarding claim 14, see Examiner's comments regarding claim 13, except for the limitation "storage designation operation means operated to store the preset velocity information in said memory means," which is inherently included in the velocity data memory 159, Kaneda, figure 3, column 2, lines 33-41.

Regarding claim 15, Kaneda discloses preset driving start operation means operated to generate preset drive control start command information (inherently included in direction data memory 158, figure 3, column 2, lines 33-41), and said control means starts the preset drive control of said driving means on the basis of the preset velocity information stored in said memory in accordance with an operation of said preset driving start operation means (figure 3, column 2, line 14 to column 3, line 63).

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID L. OMETZ can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LN
06/16/06



**LUONG T. NGUYEN
PATENT EXAMINER**